

UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA

LOS ANGELES DIVISION

In re ) Case No. 2:19-bk-14989-WB  
SCOOBEEZ, *et al.*<sup>4</sup> ) Jointly Administered:  
2:19-bk-14991-WB; 2:19-bk-14997-WB

Debtors and Debtors in Possession.

**AFFIDAVIT**

Affects:

JUDGE: HON. JULIA BRAND

☒ All Debtors

☐ Scoobeez, ONLY

☐ Scoobeez Global, Inc., ONLY

☐ Scoobur LLC, ONLY

**AFFIDAVIT**

**Brian K. Gallik** first being duly sworn, deposes and says:

1. I am an attorney with Gallik, Bremer & Molloy, P.C. (the "Firm"), having an office located at 777 East Main, Suite 203, PO Box 70, Bozeman, Montana, 59771-0070, employed by the above-captioned debtors and debtors in possession (collectively, the "Debtors") in the ordinary course of their business operations.

2. This affidavit is submitted pursuant to Sections 105(a), 327, 328 and 330 of the United States Bankruptcy Code (the "Bankruptcy Code"), in compliance with the Order Pursuant to Sections 105(a), 327, 328 and 330 of the Bankruptcy Code and Bankruptcy Rule 2014 Authorizing the Employment and Compensation of Professionals Utilized in the Ordinary Course of the Debtor's Business (the "OCP Order").

<sup>4</sup> The Debtors and the last four digits of their respective federal taxpayer identification numbers are as follows: Scoobeez (6339); Scoobeez Global, Inc. (9779); and Scoobur, LLC (0343). The Debtors' address is 3463 Foothill Boulevard, Glendale, California 91214.

1           3.       The professional services the Firm will render to the Debtors include, but shall not be  
2 limited to representation of Scoobeez, Inc., Shahan Ohanessian, & Scoobeez Global, Inc., as Defendants  
3 in *Avitus, Inc., v. Scoobeez, Inc., et. al.*, Cause No. CV-18-146-BLG-SPW-TJC, United States District  
4 Court for the District of Montana, Billings Division.

5           4.       Prior to April 30, 2019 (the "Petition Date"), the Firm **DID** provide professional services  
6 to the Debtor.

7           5.       As of the Petition Date, the Debtors owed the Firm \$3,326.10 in connection with  
8 professional services rendered to the Debtors.

9           6.       The Firm does not hold any interest adverse to the Debtors or their estates with respect to  
10 the matters for which the Firm is retained. The Firm has not performed services in the past for persons  
11 that are parties in interest in the Debtors' chapter 11 cases, in matters related or unrelated to these cases,  
12 except as set forth hereinafter:

13               Shahan Ohanessian and Scoobeez Global, Inc., are co-defendants in Cause No. CV-18-146-BLG-  
14 SPW-TJC, as set forth in paragraph 3, *supra*.

15           7.       Neither I nor any principal of or professional employed by the Firm, insofar as I have been  
16 able to ascertain, holds or represents any interest adverse to the Debtors or their estates with respect to the  
17 matters that the Firm is retained, except as set forth hereinafter:

18                               **Unaware of any conflicts.**

19           8.       The Firm has read the proposed OCP Order and understands the limitations on  
20 compensation allowed to be paid without an order of this Court.

21           9.       The Firm is conducting further inquiries regarding its retention by any creditors of the  
22 Debtors, and upon conclusion of that inquiry, or at any time during the period of its employment, if the  
23 Firm should discover any facts bearing on the matters described herein, the Firm will supplement the  
24 information contained in this Affidavit.

25           10.       The Firm intends to apply for compensation for professional services rendered in  
26 connection with the Debtors' chapter 11 cases directly to the Debtors, in accordance with the OCP Order,  
27 with such application to request compensation for services based on the hourly rates set forth below, plus  
28 reimbursement of actual and necessary expenses and other charges incurred by the Firm. The Firm

1 understands that, pursuant to the OCP Order, services rendered to the Debtors resulting in fees of more  
2 than \$10,000 per month (or \$50,000 in the aggregate for the duration of the chapter 11 cases) will require  
3 entry of an order of the Court authorizing such higher amount.

4 11. The principal members, associates and/or employees designated to represent the Debtor  
5 and their current standard hourly rates are:

- 6 (a) Brian K. Gallik, Partner, \$300 per hour
- 7 (b) James P. Molloy, Partner, \$300 per hour
- 8 (c) Jecyn Bremer, Junior Partner, \$ 250 per hour
- 9 (d) Legal Intern(s) \$40.00 per hour.

10 12. The hourly rates set forth above are subject to periodic adjustments to reflect changes in  
11 the economy and other conditions. The hourly rates set forth above are the Firm's standard hourly rates  
12 for work of this nature. The rates are set at a level designed to fairly compensate the Firm for the work of  
13 its members, associates and/or employees, and to cover fixed and routine overhead expenses. The Firm  
14 charges its clients for all other expenses incurred in connection with the client's matter. The expenses  
15 charged to clients include, among other things, travel costs, telecommunications, express mail, messenger  
16 service, and photocopying costs. The Firm will charge the Debtors for these expenses in a manner and at  
17 rates consistent with charges made generally to the Firm's other clients.

18 13. Except as provided in the OCP Order, no representations or promises have been received  
19 by the Firm nor by any members, partners, counsel, associates, or employees thereof as to compensation  
20 in connection with the Debtors' chapter 11 cases other than in accordance with the provisions of the  
21 Bankruptcy Code. The Firm has no agreement with any other entity to share with such entity any  
22 compensation received by the Firm in connection with the Debtors' chapter 11 cases.

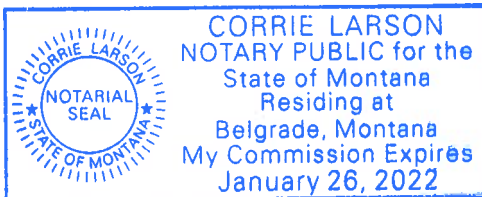
23 I declare under penalty of perjury under the laws of the United States of America that the foregoing  
24 is true and correct.

25 Executed this 2<sup>nd</sup> day of October, 2019, at Bozeman, Montana  
26  
27  
28



Name: Brian K. Gallik  
Title: President

State of Montana )  
:  
County of Gallatin )



Sworn to and subscribed before me on this 2<sup>nd</sup> day of October 2019.

  
\_\_\_\_\_  
Notary Public

My Commission Expires: 01/26/2022

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:  
Foley & Lardner LLP, 555 South Flower Street, Suite 3300, Los Angeles, CA 90072-2411

A true and correct copy of the documents entitled (*specify*): AFFIDAVIT will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR will be served by the court via NEF and hyperlink to the document. On (*date*) 10/7/2019, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:**

On (*date*) 10/7/2019, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Honorable Julia W. Brand  
United States Bankruptcy Court  
Central District of California  
Edward R. Roybal Federal Building and Courthouse  
255 E. Temple Street, Suite 1382  
Los Angeles, CA 90012

☐ Service information continued on attached page

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) \_\_\_\_\_, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

10/7/19

Sonia Gaeta

/s/ Sonia Gaeta

*Date*

*Printed Name*

*Signature*

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):**

John-Patrick M Fritz jpf@lnbyb.com, JPF.LNBYB@ecf.inforuptcy.com  
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